

87th Legislative Session – 2012

Committee: House State Affairs

Friday, February 24, 2012

P - Present
E - Excused
A - Absent

Roll Call

P Abdallah
P Blake
P Fargen
P Gibson
P Gosch
P Hoffman
P Hunhoff (Bernie)
P Moser
P Rausch
P Turbiville
P Wick
P Cronin, Vice-Chair
P Lust, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Representative Cronin, Vice-Chair.

MOTION: TO APPROVE THE MINUTES OF WEDNESDAY, FEBRUARY 22, 2012

Moved by: Turbiville
Second by: Hoffman
Action: Prevailed by voice vote.

SB 161: revise certain provisions concerning public meetings held by teleconference or videoconference.

Presented by: Senator Al Novstrup
Proponents: Jeff Bloomberg, Bureau of Personnel
David Bordewyk, SD Newspaper Association

MOTION: AMEND SB 161

161ob

On page 2, line 12, of the Senate State Affairs Committee engrossed bill, delete everything after "listen" and insert "to the meeting via telephone or the internet".

On page 2, line 13, delete everything before "₁" .

Moved by: Hoffman
Second by: Wick
Action: Prevailed by voice vote.

MOTION: DO PASS SB 161 AS AMENDED

Moved by: Hoffman
Second by: Gosch
Action: Prevailed by roll call vote. (12-0-1-0)

Voting Yes: Abdallah, Blake, Fargen, Gibson, Gosch, Hoffman, Hunhoff (Bernie), Moser, Turbiville, Wick, Cronin, Lust

Excused: Rausch

MOTION: PLACE SB 161 ON CONSENT CALENDAR

Moved by: Gosch
Second by: Hoffman
Action: Prevailed by voice vote.

SB 188: authorize the establishment, operation, and control of research parks on lands controlled by the Board of Regents.

Presented by: Representative David Lust
Proponents: Jack Warner, Board of Regents
Rich Naser, SDTBC, Sioux Falls
Julie Johnson, Absolutely Aberdeen

MOTION: DO PASS SB 188

Moved by: Moser
Second by: Gosch
Action: Prevailed by roll call vote. (12-0-1-0)

Voting Yes: Abdallah, Blake, Fargen, Gibson, Gosch, Hoffman, Hunhoff (Bernie), Moser, Turbiville, Wick, Cronin, Lust

Excused: Rausch

SB 114: designate the American bison as the state mascot.

Presented by: Representative Mike Verchio
Senator Thomas Nelson (Handout: 1)

MOTION: DEFER SB 114 TO THE 41ST LEGISLATIVE DAY

Moved by: Turbiville
Second by: Abdallah
Action: Prevailed by roll call vote. (7-5-1-0)

Voting Yes: Abdallah, Gosch, Moser, Turbiville, Wick, Cronin, Lust

Voting No: Blake, Fargen, Gibson, Hoffman, Hunhoff (Bernie)

Excused: Rausch

SB 175: increase the number of video lottery machines that may be placed in a licensed establishment.

Presented by: Larry Mann, Video Lottery Establishments of SD
Proponents: Bob Riter, Music and Vending Association
Tim Dougherty, Licensed Beverage Dealers of SD
Roger Tellinghuisen, ISIS Hospitality, LLC
Opponents: Dale Bartscher, Family Heritage Alliance Action Incorporated (Handout: 2)
Linda Schauer, Concerned Women For America
Matthew McCaulley, SD Family Policy Council
Mark Weber, Self, Sioux Falls (Handout: 3)
Karl Kroger, Self, Pierre

MOTION: AMEND SB 175

175ob

On page 2, after line 2 of the Senate State Affairs Committee engrossed bill, insert:

" Section 2. That § 42-7A-38 be amended to read as follows:

42-7A-38. A video lottery machine may not allow more than ~~two~~ five dollars to be played on a game or award free games or credits in excess of the value of one hundred twenty-five dollars per credit value of twenty-five cents played. The payback value of one credit shall be at least eighty percent of the value of the credit."

Moved by: Turbiville

Second by: Abdallah

Action: Failed by roll call vote. (6-6-1-0)

Voting Yes: Abdallah, Gosch, Hoffman, Rausch, Turbiville, Cronin

Voting No: Blake, Fargen, Gibson, Hunhoff (Bernie), Moser, Wick

Excused: Lust

MOTION: DO PASS SB 175

Moved by: Abdallah

Second by: Rausch

Action: Was not acted on.

MOTION: SUBSTITUTE MOTION AMEND SB 175

175oc

On the Senate State Affairs Committee engrossed bill, delete everything after the enacting clause and insert:

" Section 1. That § 42-7A-38 be amended to read as follows:

42-7A-38. A video lottery machine may not allow more than ~~two~~ five dollars to be played on a game or award free games or credits in excess of the value of one hundred twenty-five dollars per credit value of twenty-five cents played. The payback value of one credit shall be at least eighty percent of the value of the credit."

Moved by: Turbiville
Second by: Gosch
Action: Prevailed by voice vote.

MOTION: DO PASS SB 175 AS AMENDED

Moved by: Turbiville
Second by: Gibson
Action: Failed by roll call vote. (5-7-1-0)

Voting Yes: Abdallah, Gosch, Rausch, Turbiville, Cronin

Voting No: Blake, Fargen, Gibson, Hoffman, Hunhoff (Bernie), Moser, Wick

Excused: Lust

MOTION: DEFER SB 175 TO THE 41ST LEGISLATIVE DAY

Moved by: Hunhoff (Bernie)
Second by: Wick
Action: Prevailed by roll call vote. (7-4-2-0)

Voting Yes: Blake, Fargen, Gibson, Hoffman, Hunhoff (Bernie), Moser, Wick

Voting No: Gosch, Rausch, Turbiville, Cronin

Excused: Abdallah, Lust

SB 162: create certified technology parks and to provide certain financing mechanisms and bonding authority to enhance knowledge and tech-based economic development and to repeal certain provisions concerning certified technology parks.

Presented by: Senator Larry Tidemann
Proponents: Pat Costello, Governors Office of Economic Development
Lorin Pankratz, Sanford Health

MOTION: AMEND SB 162

162oa

On the printed bill, delete everything after the enacting clause and insert:

" Section 1. Terms used in this Act mean:

- (1) "GOED," the Governor's Office of Economic Development;
- (2) "Governing body," the governing body of the sponsor;
- (3) "High technology activity," includes any of the following:
 - (a) Advanced computing, which is any technology used in the design or development of computer hardware and software, data communications, or information technologies;
 - (b) Advanced materials, which are materials with engineered properties created through the development of specialized process and synthesis technology;
 - (c) Biotechnology, which is any technology that uses living organisms, cells, macromolecules, micro-organisms, or substances from living organisms to make or modify a product, improve plants or animals, or develop micro-organisms for useful purposes. Biotechnology does not include human cloning or stem cell research with embryonic tissue;
 - (d) Electronic device technology, which is any research or technology that involves:
 - (i) Microelectronics, semiconductors, or electronic equipment;
 - (ii) Instrumentation, radio frequency, microwave, and millimeter electronics;
 - (iii) Optical and optic-electrical devices; or
 - (iv) Data and digital communications and imaging devices;
 - (e) Engineering or laboratory testing related to the development of a product;
 - (f) Technology that assists in the assessment or prevention of threats or damage to human health or the environment, including environmental cleanup technology, pollution prevention technology, or development of alternative energy sources;
 - (g) Medical device technology, which is any technology that involves medical equipment or products;

- (h) Product research and development; or
- (i) Advanced vehicles' technology, which is any technology that involves:
 - (i) Electric vehicles, hybrid vehicles, or alternative fuel vehicles; or
 - (ii) Components used in the construction of electric vehicles, hybrid vehicles, or alternative fuel vehicles;
- (4) "Sponsor," any incorporated municipality, county, or improvement district created pursuant to chapter 7-25A.

Section 2. The governing body of a sponsor may apply to GOED for designation of all or part of the area within the sponsor's jurisdictional area as a certified technology park. The application shall be in a form specified by GOED and shall include information GOED deems necessary to make the determinations required pursuant to this Act.

Section 3. After receipt of an application submitted pursuant to section 2 of this Act, GOED may designate a certified technology park for a period of five years if GOED determines that the designation is in the best interests of economic development within this state and the proposed certified technology park satisfies the following criteria:

- (1) A firm commitment from at least one business engaged in a high technology activity creating a significant number of jobs at the proposed site;
- (2) A firm demonstration of support from a postsecondary educational institution, a public or private institute that engages in research, a public or military research and development or testing facility on an active United States government military base or other military installation located within, or in the vicinity of, the proposed certified technology park, or a laboratory or other research facility owned, operated or funded by the United States located within, or in the vicinity of, the proposed certified technology park; and
- (3) A firm demonstration of support from an economic development organization within the sponsor's jurisdictional area.

Section 4. Within thirty days of the first anniversary of designation and within thirty days of each anniversary thereafter, the sponsor shall furnish on forms provided by GOED all of the following information:

- (1) Total employment and payroll levels for businesses operating within the certified technology park;

- (2) The nature and extent of any technology transfer and research activity occurring within the certified technology park;
- (3) The nature and extent of any nontechnology businesses operating within the certified technology park; and
- (4) An analysis of the certified technology park's overall contributions to the technology-based economy in this state.

Section 5. The sponsor may apply to GOED for renewal of the designation of a certified technology park. The application shall be on forms supplied by GOED and shall be filed at least three months prior to the expiration of the existing designation. GOED may renew the designation of a certified technology park for up to five additional years if the requirements of section 3 of this Act continue to be met and if the sponsor has complied with section 4 of this Act.

Section 6. GOED may conduct, or cause to be conducted, such inspections and reviews of the proposed certified technology park site and books and records relating to the application for certification or recertification as GOED deems appropriate to carry out the provisions of this Act.

Section 7. Each application for designation of a certified technology park, each application for renewal of a designation, and all information related to any such applications, to the extent not already in the public domain, shall be held in confidence by GOED and may not be made available to the public prior to designation. If designation or redesignation is denied, the denial shall remain confidential and no record of the application may be made available to the public. If a designation or redesignation is granted, the information provided to GOED in connection with the application and the information provided pursuant to section 4 of this Act shall be available for public inspection and for use in marketing the certified technology park.

Section 8. GOED may revoke the designation of a certified technology park after notice and a hearing conducted pursuant to the provisions of chapter 1-26 if the sponsor fails to comply with section 4 of this Act or if the site no longer qualifies for designation as a certified technology park."

Moved by: Moser
Second by: Rausch
Action: Prevailed by voice vote.

MOTION: DO PASS SB 162 AS AMENDED

Moved by: Turbiville
Second by: Hoffman
Action: Prevailed by roll call vote. (12-0-1-0)

Voting Yes: Abdallah, Blake, Fargen, Gibson, Gosch, Hoffman, Hunhoff (Bernie), Moser, Rausch, Turbiville, Wick, Cronin

Excused: Lust

MOTION: AMEND TITLE OF SB 162

162ota

On page 1, line 1 of the printed bill, delete everything after "Act to" and insert "provide for the designation of certified technology parks.".

On page 1, delete lines 2 to 4, inclusive.

Moved by: Turbiville
Second by: Rausch
Action: Prevailed by voice vote.

THE CHAIR DEFERRED SB 187

THE CHAIR DEFERRED SB 138

THE CHAIR DEFERRED SB 49

MOTION: ADJOURN

Moved by: Gibson
Second by: Hoffman
Action: Prevailed by voice vote.

Joshua Klumb
Committee Secretary

David Lust, Chair